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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

SUMITOMO MITSUBISHI SILICON) No. C 05-02133 SBA (JCS)
 CORPORATION, aka SUMCO, a corporation) Related w/Case No. C 01-04925 SBA (JCS)
 of Japan and SUMCO USA CORPORATION,)
 a Delaware corporation,)

Plaintiffs,

v.

MEMC ELECTRONIC MATERIALS, INC., a)
 Delaware corporation,)

Defendant.)

**STIPULATION RE: STATUS OF
 MEDIATION AND ORDER EXTENDING
 DEADLINE TO CONCLUDE MEDIATION**

Date: None
 Time: None
 Courtroom: 3, 3rd Floor
 Honorable Sandra Brown Armstrong

1 The parties hereto, by and between their respective counsel, provide this stipulation and
2 proposed order at the request of this Court's ADR unit.

3 **STIPULATION**

4 1. On November 2, 2005, the parties had a conference call with Richard H. Abramson,
5 who has been selected as the mediator in this case.

6 2. During the conference call, all parties agreed that because there was already an
7 ongoing mediation in a related case, Docket No. C 01-04925, going through mediation with
8 Magistrate Judge Zimmerman, that it would not make sense to have two mediations during the same
9 time period.

10 3. The parties agreed to contact mediator Abramson on January 31, 2006 to report the
11 results of the mediation and settlement discussions in the related case. A further conference call is
12 scheduled with mediator Abramson at 9:00 a.m. on February 6, 2006.

13 4. The parties request that the deadline for concluding mediation in this case be
14 extended until at least April 10, 2006. At that time the parties will have a much better idea of the
15 relative merits of their positions, summary judgment motions and a trial will have concluded in the
16 related case, and mediation in the related case can go forward.

17
18 Dated: December 21, 2005

SIDLEY AUSTIN BROWN & WOOD LLP

19
20 By: _____/s/
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Attorneys for Plaintiffs
SUMCO and SUMCO USA Corporation

Dated: December 21, 2005

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MEMC Electronic Materials, Inc.

SIGNATURE ATTESTATION

I hereby attest that I have on file a holograph signature of Igor Shoiket of Townsend and Townsend and Crew LLP to the foregoing Stipulation where indicated by a "Conformed" signature within this e-filed document.

Dated: December 21, 2005

SIDLEY AUSTIN BROWN & WOOD LLP

By: /s/

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Attorneys for Plaintiffs
SUMCO and SUMCO USA Corporation

[PROPOSED ORDER]

Good cause appearing therfor, the Court ORDERS that the deadline for concluding mediation in this case is extended until April 10, 2006, subject to further order of the Court.

IT IS SO ORDERED.

Dated: January 3, 2006



Honorable Sandra Brown Armstrong
United States District Judge

PROOF OF SERVICE

I declare I am over the age of 18 years, and not a party to this action. My place of employment and business address is Sidley Austin Brown & Wood LLP, 555 California Street, San Francisco, California 94104.

On December 21, 2005, I served copies of the following documents(s):

**STIPULATION RE: STATUS OF MEDIATION AND [PROPOSED] ORDER
EXTENDING DEADLINE TO CONCLUDE MEDIATION**

on the following individuals and entities, as addressed below, by the means indicated below:

Igor Shoiket
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(BY MAIL) I am personally and readily familiar with the business practice of Sidley Austin Brown & Wood LLP for collection and processing of correspondence for mailing with the United States Postal Service, pursuant to which mail placed for collection at designated stations in the ordinary course of business is deposited the same day, proper postage prepaid, with the United States Postal Service. I caused such document(s) to be sent via U.S. Mail according to the practices above.

(BY FACSIMILE) I caused the above document(s) to be transmitted by facsimile to the parties listed above.

(BY FEDERAL EXPRESS) I caused the above document(s) to be sent by Federal Express for priority overnight delivery. The above-mentioned document(s) would have been deposited with Federal Express with all charges paid.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 21, 2005.

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